

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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EVELINA CALCANO, on behalf of herself and all
other persons similarly situated,

Plaintiff,

-against-

BANDI LABORATORIES, LLC,

Defendant.

1:21-cv-7208-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter filed by Plaintiff informing the Court that the parties have reached a settlement in principle [ECF No. 7]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and as long as the application to restore the action is made by October 28, 2021. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

SO ORDERED.

Date: September 28, 2021
New York, NY



MARY KAY VYSKOCIL
United States District Judge